

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 10:00 A.M. Present: Honorable Timothy S. Buckley, Acting Presiding Justice; Honorable Rebecca A. Wiseman, Associate Justice; Honorable Dennis A. Cornell, Associate Justice; and Kay Frauenholtz, Clerk/Administrator, by Shandra Gallagher, Assistant Deputy Clerk.

**F044148      People v. Wharry**

Cause called and argued by Russell Sheridan Babcock, Esq., counsel for appellant. Robert P. Whitlock, Esq., Deputy Attorney General, counsel for respondent waived oral argument.

Cause ordered submitted.

Court recessed until Wednesday, April 20, 2005 at 1:30 P.M.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable James A. Ardaiz, Presiding Justice; Honorable Nickolas J. Dibiaso, Associate Justice; Honorable Gene M. Gomes, Associate Justice; and Kay Frauenholtz, Clerk/Administrator, by Joe G. Lopez, Senior Deputy Clerk.

**F043029      People v. Ibarra**

Cause called and argued by Harry M. Drandell, Esq., counsel for appellant. Charles Fennessey, Esq., Deputy Attorney General, counsel for respondent waived oral argument.

Cause ordered submitted.

At this point Ardaiz, P.J. directs Dibiaso, Acting P.J. to act as Presiding Justice in his absence, leaves the bench and is replaced by Levy, J.

**F044707      People v. Killebrew**

Cause called and argued by James Koester, Esq., counsel for appellant and by John A. Bachman, Esq., Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

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**F044475      Snow v. Almond Valley Ranch, Inc.**

Cause called and argued by David J. Cook, Esq., counsel for appellant and by Michael C. Normoyle, Esq., counsel for respondent.

Cause ordered submitted.

Court recessed until Friday, April 29, 2005 at 9:30 A.M.

**F045810      People v. Williams**

The above-entitled case is submitted for decision.

**F045810      People v. Williams**

The judgment is modified to strike the prior prison term enhancement the court stayed. The trial court is directed to prepare an abstract of judgment consistent with this opinion and to forward a certified copy to the Department of Corrections. In all other respects, the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F045158      People v. Valencia**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F045158      People v. Valencia**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F045332      Anderson et al. v. Time Warner Telecom of California, Inc.**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

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**F043709      People v. Hamett**

The judgment is affirmed. Dawson, J.

We concur: Vartabedian, Acting P.J.; Harris, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F045416      People v. Flores**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F045416      People v. Flores**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F047321      Angelica R. v. The Superior Court of Merced County; Merced County  
Department of Human Services**

The petition for extraordinary writ is denied. This opinion is final forthwith as to this court.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]